

Malibu City Council
Special Meeting Agenda

Monday, December 15, 2003

1:00 P.M. – SPECIAL CITY COUNCIL MEETING and CLOSED SESSION

City Hall – Council Chambers
23815 Stuart Ranch Road

Call to Order - Mayor

Roll Call – Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – December 12, 2003

Pursuant to Government Code Section 54953(b),
Councilmember House will be attending the
Council meeting via teleconferencing from:
The Summit Condo, #62, Mammoth, California.
This teleconference location is accessible to the public
and will be open to the public for attendance at this meeting.

1. Written and Oral Communications from the Public

Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.

2. New Business

A. Removal of Planning Commissioners

Each Planning Commissioner serves at the pleasure of the City Councilmember that appointed him or her. This item permits each Councilmember to remove the Planning Commissioner he or she appointed. Removal will be effective immediately. The item was placed on the agenda at the request of Councilmembers Stern and Barovsky.

B. Direct City Clerk to notice vacancies on the Planning Commission in accordance with applicable law

If a vacancy on the Planning Commission occurs due to the resignation or removal of one of its members, before a new member may be appointed, the City must post notice of vacancy for 10 days. Unless directed otherwise, staff will place an item on the City Council's next regular agenda to appoint new Planning Commissioners to fill the vacancies.

3. Closed Session

This time has been set aside for the City Council to meet in a closed session to discuss matters of pending litigation pursuant to Government Code Sections 54956.8 and 54956.9(a). Based on the advice of the City Attorney discussion in open session concerning these matters would prejudice the position of the City in this litigation. The City Attorney will give an additional oral report regarding the closed session at the beginning of the next regular City Council meeting.

Real Estate negotiation matters pursuant to Government Code Section 54956.8:

1. Property APN: 4458-018-002, 018, 019
City Negotiator: City Manager Lichtig or designee
Property Negotiator: Roy E. Crummer
Under Negotiation: Price and terms of payment

Existing litigation per Government Code Section 54956.9 (a):

2. City of Malibu v. California Coastal Commission (Streisand Center Coastal Permit)
Los Angeles County Superior Court Case No. BC230410
3. Malibu CAN v. City of Malibu (MBC Development Agreement)
Los Angeles County Superior Court Case No. BS083683

Closed Session Report

Adjournment

I hereby certify under penalty of perjury, under the laws of the State of California, that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated this 12th day of December 2003.

Lisa Pope, City Clerk